

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

FABIAN SANTIAGO,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 05-CV-0512-MJR
)	
C/O SMITHSON, C/O ANDERSON,)	
C/O STARKEY, C/O BERNARD,)	
LT. DALLAS, LT. SIEPP,)	
WARDEN MOTE, SHERRY HILE,)	
DIRECTOR WALKER, and)	
J. MITCHELL,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

REAGAN, District Judge:

On July 25, 2005, Santiago filed this action under 42 U.S.C. § 1983 alleging that various defendants assaulted him, threatened him, and refused to provide adequate medical treatment (Doc. 1). Santiago's amended complaint states that he is suing Defendants in their individual capacities (Doc. 11). In early June 2008, Santiago filed various motions seeking a stay of the proceedings, the recusal of the undersigned district judge, a change of venue, and a certificate of appealability (Docs. 104, 105, 106, & 107). Therein, Santiago complained about various rulings, including the Court's refusal to compel certain discovery, refusal to appoint counsel, and dismissal of various defendants, particularly Sgt. Childers (*see* Doc. 83). Santiago argued that these rulings indicate that the Court is biased against him. On September 16, 2008, the Court denied Santiago's motions in their entirety, finding his claims of bias meritless and unsupported by the record (Doc. 119).

Santiago now objects to both Magistrate Judge Proud and the undersigned District

Judge's refusal to recuse (Doc. 130). However, the instant motion merely repeats the same arguments he previously employed. Santiago believes that the Court's rulings are so erroneous that they can only be explained by some hidden bias against him. The Court reiterates that Santiago's disagreement with the decisions in this case is not sufficient to establish that either Magistrate Judge Proud or the undersigned District Judge is biased against him. There is no legitimate basis for either judge to recuse from this action.

Accordingly, Santiago's motion to reconsider is **DENIED** (Doc. 130).

IT IS SO ORDERED.

DATED this 11th day of August 2009.

s/ Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge